

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware corporation
and AMAZON.COM SERVICES LLC, a
Delaware limited liability company,

Plaintiffs,

v.

JONATHAN G. MORTON, an individual;
ASIN ENTERPRISE MANAGEMENT
CONSULTING LTD. CO., a China corporation;
SHENZHEN LUNA TECHNOLOGY CO.,
LTD., a China corporation; HUANHUAN
LIAO, an individual; CHENLIANG ZHONG,
an individual; GUOLIANG ZHONG, an
individual; and DOES 1-10,

Defendants.

No. 2:24-cv-01471-JLR

**DECLARATION OF ROBERT
GARRETT IN SUPPORT OF
PLAINTIFFS' *EX PARTE* MOTION
FOR ALTERNATIVE SERVICE**

I, Robert Garrett, declare and state as follows:

1. I am over the age of 18 and competent to testify to the matters stated herein. I have been employed by Amazon.com, Inc. ("Amazon"), or its subsidiaries, since June 24, 2019. I have personal knowledge of the facts in this declaration or have acquired this knowledge through my review of records kept in the regular course of business. The statements made below are true to the best of my knowledge and belief. I make them in support of Plaintiffs' *Ex Parte* Motion for Alternative Service.

1 2. My current role is Principal Risk Manager for the Amazon Counterfeit Crimes
2 Unit, where I am responsible for investigating bad actors suspected of selling counterfeit
3 products in Amazon's stores. The Amazon Counterfeit Crimes Unit is a global team dedicated to
4 pursuing bad actors such as Defendants here and holding them accountable to the fullest extent
5 of the law, including working with law enforcement and pursuing civil lawsuits.

6 3. Amazon has developed a suite of intellectual property-protection mechanisms for
7 rightsholders to submit requests for removal of content that the rightsholders believe violates
8 their intellectual property rights. One of Amazon's intellectual property-protection services is
9 Amazon Brand Registry, which provides brands who enroll with access to advanced capabilities
10 to find and report copyright and trademark infringement violations in the Amazon Store.
11 Amazon also invests heavily to protect its third-party selling partners and to ensure that
12 Amazon's intellectual property-protection measures are not abused by bad actors, so that listings
13 of non-infringing products remain active and available for purchase by Amazon customers.

14 4. In order to create an Amazon Brand Registry account, rightsholders must
15 demonstrate that they have an active trademark registration or, in some circumstances, a pending
16 trademark application. When a person applies to register an Amazon Brand Registry account
17 based on a trademark registration or application filed with the United States Patent and
18 Trademark Office ("USPTO"), Amazon will send a registration code to the email address or
19 addresses for the trademark correspondent listed in the USPTO's records. An applicant can only
20 complete their enrollment if they receive this registration code via email, and then confirm that
21 code with Amazon during the enrollment process. The process is designed to ensure that
22 rightsholders have valid registrations or pending applications in order to enroll in Amazon Brand
23 Registry.

24 5. On or about April 2, 2021, an Amazon Brand Registry account bearing the
25 account number 1113755 was created using the trademark application for "Futaiphy" (USPTO
26 Application Serial. No. 90604827, the "Futaiphy Trademark") ("Futaiphy Brand Registry
27 Account"). Amazon sent a registration code to the email addresses for the attorney of record

1 listed in the USPTO's public records for the Futaiphy Trademark, Defendant Jonathan Morton.
 2 Defendants completed the account creation process by logging into the Futaiphy Brand Registry
 3 Account, and confirming the registration code that Amazon had transmitted. While an applicant
 4 for an Amazon Brand Registry account is not required to own or operate a selling account in the
 5 Amazon Store, a selling account owner can link their Brand Registry account to their selling
 6 account. Amazon's subsequent investigation revealed that the operators of the Lunakj selling
 7 account ("Lunakj Selling Account") had linked the Lunakj Selling Account to the Futaiphy
 8 Brand Registry Account when they opened the Futaiphy Brand Registry Account.

9 6. The Lunakj Selling Account was registered under the name of Defendant
 10 Shenzhen Luna Technology Co., Ltd. The operators of the Lunakj Selling Account provided the
 11 following email address to Amazon when they created the Lunakj Selling Account:
 12 lunakj01041@163.com (the "Lunakj Selling Account Email Address"). Like all sellers in the
 13 Amazon Store, the operators of the Lunakj Selling Account registered the Lunakj Selling
 14 Account Email Address in order to create their Selling Account, access Amazon's Seller
 15 Central,¹ and conduct business through their Selling Account. The Lunakj Selling Account Email
 16 Address was the primary means of communication between Amazon and the Lunakj Selling
 17 Account. The operators of the Lunakj Selling Account also provided the following physical
 18 address to Amazon when they created the Lunakj Selling Account: Room 39G52, Fortune
 19 Building, No. 88, Fuhua 3rd Road, Gangxia Community, Futian Street, Futian District,
 20 Shenzhen, China.

21 7. On or about December 22, 2020, an Amazon Brand Registry account bearing the
 22 account number 938407 was created using the trademark application for "Tfnyc" (USPTO
 23 Application Serial. No. 90376905, the "Tfnyc Trademark") ("Tfnyc Brand Registry Account").
 24 Amazon sent a registration code to the email addresses for the attorney of record listed in the
 25 USPTO's public records for the Tfnyc Trademark, Defendant Jonathan Morton. Defendants
 26

27 ¹ "Seller Central" is the online portal that sellers use to access their selling accounts, list products for sale, manage sales and inventory, track payments and returns, and manage advertising programs, among other things.

1 completed the account creation process by logging into the Tfnyc Brand Registry Account, and
2 confirming the registration code that Amazon had transmitted. Amazon's subsequent
3 investigation revealed that the operators of the BDliccs selling account ("BDliccs Selling
4 Account") had linked this Selling Account to the Tfnyc Brand Registry Account when they
5 opened the Tfnyc Brand Registry Account.

6 8. The BDliccs Selling Account was registered under the name of Defendant
7 Chenliang Zhong. The operators of the BDliccs Selling Account provided the following email
8 address to Amazon when they created the BDliccs Selling Account: bdlicss668@outlook.com
9 (the "BDliccs Selling Account Email Address"). Like all sellers in the Amazon Store, the
10 operators of the BDliccs Selling Account registered the BDliccs Selling Account Email Address
11 in order to create their Selling Account, access Amazon's Seller Central, and conduct business
12 through their Selling Account. The BDliccs Selling Account Email Address was the primary
13 means of communication between Amazon and the BDliccs Selling Account. The operators of
14 the BDliccs Selling Account also provided the following physical address to Amazon when they
15 created the BDliccs Selling Account: Room 1610-1611, Building 3, Vanke City Light Phase 3,
16 No. 381 Daxing Street, Fengze District, Quanzhou City, China.


17 9. Amazon's investigation of Defendants further revealed that the Anck selling
18 account (the "Anck Selling Account") benefited from the Tfnyc Brand Registry Account's
19 fraudulent takedown notices because it sold the same products as the sellers targeted by those
20 notices. The operators of the Anck Selling Account provided the following email address to
21 Amazon when they created the Anck Selling Account: zhyue11@outlook.com (the "Anck
22 Selling Account Email Address"). Like all sellers in the Amazon Store, the operators of the Anck
23 Selling Account registered the Anck Selling Account Email Address in order to create their
24 Selling Account, access Amazon's Seller Central, and conduct business through their Selling
25 Account. The Anck Selling Account Email Address was the primary means of communication
26 between Amazon and the Anck Selling Account. The operators of the Anck Selling Account also
27 provided the following physical address to Amazon when they created the Anck Selling

1 Account: Eng. Room 1010, Building 8, Donghai Taihe Plaza, No. 1466 Daxing Street, Fashi
2 Community, Donghai Street, Quanzhou Fujian, China 362000.

3 10. In order to facilitate further investigation into Defendants' identities and
4 whereabouts, I provided Amazon's counsel at Davis Wright Tremaine with the identification,
5 address, contact, and banking information that was provided to Amazon in connection with the
6 registration of the Lunakj, BDliccs, and Anck Selling Accounts, as well as information reflecting
7 the IP networks used to log in to those Selling Accounts.

8
9 I declare under penalty of perjury that the foregoing is true and correct to the best of my
10 knowledge.

11
12 EXECUTED this 27th day of January, 2025, at Arlington, Virginia.

13
14 
15 ROBERT GARRETT
16
17
18
19
20
21
22
23
24
25
26
27